

S.D.N.Y. – N.Y.C.
19-cv-8876
Rakoff, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 28th day of February, two thousand twenty-three.

Present:

Guido Calabresi,
Michael H. Park,
William J. Nardini,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: Feb 28 2023

State of New York, et al.,

Plaintiffs-Appellees,

v.

20-2622

United States Immigration and Customs Enforcement, et al.,

Defendants-Appellants.

Appellees move for vacatur of the district court's judgment and for remand. Appellees represent that the Appellants consent to the requested relief. Upon due consideration, it is hereby ORDERED that the motion is GRANTED to the following extent: the appeal is DISMISSED as moot and/or waived, the district court judgment is VACATED, and the matter is REMANDED to the district court with directions to grant the parties' motion for dismissal without prejudice. See *Russman v. Bd. of Educ.*, 260 F.3d 114, 121, 123 (2d Cir. 2001); *Associated Gen. Contractors of Conn., Inc. v. City of New Haven*, 41 F.3d 62, 67 (2d Cir. 1994); see also *Lawrence v. Chater*, 516 U.S. 163, 166–67 (1996) (per curiam).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe



Catherine O'Hagan Wolfe